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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,806	04/30/2001	Alan D. Davie	K35A0766	5857

25235 7590 02/09/2005

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EXAMINER	
FAROOQ, MOHAMMAD O	
ART UNIT	**PAPER NUMBER**
2182	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/846,806	DAVIE, ALAN D.	
	Examiner	Art Unit	
	Mohammad O. Farooq	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 12 September 2003.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-46 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1,2,7-10,14,18-21,24-26,29,33-37,41,45 and 46 is/are rejected.

7)☒ Claim(s) 3-6,11-13,15,17,22,23,27,28,30-32,38-40 and 42-44 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 30 April 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 9/12/03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1,2,7-10,14,18-21, 24-26, 29, 33-37, 41, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chamberlain et al. U.S. Pat. No. 6,735,766 in view of Wilson, U.S. Pat. No. 6,697,875.

2. As to claim 1, Chamberlain et al. teach method comprising:

executing a program on the data processing system (inherent in fig. 2), and upon execution:

accessing device information, the device information comprising information identifying a set of identifiers and a set of code modules associated with the set of device identifiers (col. 2, lines 44-60; col. 7, lines 24-32);

loading the set of code modules referenced by the device information into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

while executing the program:

providing a signal to the executing program indicating that the device information has been modified to produce modified device information (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

deleting the set of code modules referenced by the device information before modification from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25);

accessing the modified device information (abstract; col. 10, lines 35-47); and

loading a set of code modules referenced by the modified device information into the address space of the executing program (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

3. As to claim 2, Chamberlain et al. teach method wherein:

the device information includes at least a first device identifier associated with a first code module, and in the modified device information the first device identifier is associated with a second code module instead of the first code module (inherent because of upgrade (col. 2, lines 44-60; col. 7, lines 9-49); and

loading the set of code modules referenced by the modified device information into the address space of the executing program comprises loading the second code module into the address space of the executing program (abstract; col. 6, lines 42-65; col. 9, lines 16 –61).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network

4. As to claim 7, Chamberlain et al. teach wherein the device information is stored in a plurality of files, each file including information related to a network device identifier from the set of network device identifiers and information related to a code module associated with the network device (abstract; col. 6, lines 42-65; col. 7, lines 24-49).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network

5. As to claim 8, Chamberlain et al. teach method comprising:

executing a program on the data processing system (inherent in fig. 2), and upon execution:

accessing device information, the device information comprising information identifying a set of identifiers and a set of code modules associated with the set of device identifiers (col. 2, lines 44-60; col. 7, lines 24-32);

loading the set of code modules referenced by the device information into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

using the set of code modules to monitor devices coupled to the network whose device identifiers match identifiers of the set of network device identifiers (inherent since property table; col. 7, line 24 – col. 8, lines 27);

while executing the program:

providing a signal to the executing program indicating that the device information has been modified to produce modified device information (item 100, fig. 2; col. 6, line 66-col. 7, line 8);

in response to the signal:

deleting the first code module associated with the first device identifier from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25);

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

6. As to claim 9, Chamberlain et al. teach method wherein:

the device information before modification is stored in a set of files, each file including information related to a device identifier from the set of device identifiers and information related to a code module associated with the device identifiers, the set of files including a first file including information related to the first device identifier and information identifying the first code associated with the first device identifier (col. 2, lines 44-60; col. 7, lines 24-32); and

the modified device information is stored in a set of files not including the first file (col. 7, line 50 – col. 8, line 19).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

7. As to claim 10, Chamberlain et al. teach method comprising:

executing a program on the data processing system (inherent in fig. 2), and upon execution:

accessing device information related to a first device identifier, the information related to the first identifier including information identifying a first code module associated with the first device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

loading the first code module into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

while executing the program:

receiving a signal indicating that the information related to the first device identifier has been modified, the modified information identifying a second code module associated with the first device identifier instead of the first code module (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

deleting the first code module associated with the first device identifier from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25);

loading the second code module into the address space of the executing program (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

8. As to claim 14, Chamberlain et al. teach method comprising:

executing a program on the data processing system (inherent in fig. 2), and upon execution:

accessing device information comprising a set of device identifiers including a first device identifier, the devices information further comprising information identifying code modules associated with device identifiers in the set of device identifiers including information identifying a first code module associated with the first device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

loading the set of code modules associated with the set of device identifiers including the first code module into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

while executing the program:

receiving a signal indicating that the devices information has been modified, the modified devices information including a second device identifier and a second code module associated with the second device identifier, the second device identifier not included in the set of device identifiers included in the devices information before modification (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

loading the second code module into the address space of the executing program (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

9. As to claim 18, Chamberlain et al. teach method wherein the devices information is stored in a plurality of files, each file including information related to a device identifier from the set of device identifiers and information related to a code module from the set of code modules associated with the device identifier (col. 2, lines 44-60; col. 7, lines 24-32).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

10. As to claim 19, Chamberlain et al. teach method comprising:

executing a program on the data processing system (inherent in fig. 2), and upon execution:

accessing device information related to a device identifier, the information related to the identifier including information identifying a code module associated with the device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

loading the first code module into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

while executing the program:

receiving a signal indicating that the information the code module has been modified (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

deleting the previously loaded code module from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25);

loading the modified code module into the address space of the executing program (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

11. As to claim 20, Chamberlain et al. teach computer program product comprising:

code for accessing device information, the device information comprising information identifying a set of device identifiers and a set of code modules associated with the set of device identifiers (col. 2, lines 44-60; col. 7, lines 24-32); and

code for loading the set of code modules referenced by the device information into an address space of an executing application program (inherent because of upgrade; col. 9, lines 16-61);

code for using the set of code modules referenced by the device information and loaded into the address space of the executing application program to manage a network (inherent since property table; col. 7, line 24 – col. 8, lines 27);

code for receiving a signal while the application program is executing, the signal indicating that the device information has been modified to produce modified device information (item 100, fig. 2; col. 6, line 66 – col. 7, line 8);

code for deleting the set of code modules referenced by the device information before modification from the address space of the executing application program in response to the signal (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, lines 25):

code for accessing the modified device information (abstract; col. 10, lines 35-47);

code for loading a set of code modules referenced by the modified device information into the address space of the executing application program (inherent; abstract; col. 6, lines 42 – 65); and

code for using the set of code modules referenced by the modified device information and loaded into the address space of the executing application program to manage the network (abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

12. As to claim 24, Chamberlain et al. teach computer program product comprising:

code for accessing device information, the device information including information related to a set of device identifiers and information identifying a set of code modules associated with the set of device identifiers, the device information including information related to a first device identifier and a first code module associated with the first device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

code for loading the set of modules identified in the device information into an address space of an executing application program (inherent because of upgrade; col. 9, lines 16-61);

code for using the set of code modules to manage devices coupled to the network whose device identifiers match identifiers in the set of device identifiers (inherent since property table; col. 7, line 24 – col. 8, lines 27);

code for receiving a signal from the executing application program, the signal indicating that the device information has been modified, the modified device information not including information related to the first device identifier (item 100, fig. 2; col. 6, line 66 – col. 7, line 8); and

code for deleting the first code module associated with the first device identifier from the address space of the executing program, in response to the signal (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

13. As to claim 26, Chamberlain et al. teach computer program product comprising:

code for accessing device information related to a first device identifier, the device information related to the first identifier including information identifying a first code module associated with the first device identifiers (col. 2, lines 44-60; col. 7, lines 24-32); and

code for loading the first code module into an address space of an executing application program (inherent because of upgrade; col. 9, lines 16-61);

code for using the first code module to manage devices coupled to the network (inherent since property table; col. 7, line 24 – col. 8, lines 27);

code for receiving a signal indicating that the information related to the first device identifier has been modified, the modified information identifying a second code module associated with the first device identifier instead of the first code module (item 100, fig. 2; col. 6, line 66 – col. 7, line 8);

code for deleting the first code module associated with the first device identifier from the address space of the executing application program in response to the signal (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, lines 25):

code for loading the second module into the address space of the executing application program (inherent; abstract; col. 6, lines 42 – 65); and

code for using the second code module to manage devices coupled to the network (abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

14. As to claim 29, Chamberlain et al. teach computer program product comprising:

code for accessing device information comprising a set of device identifiers including a first device identifier, the devices information further comprising information identifying code modules associated with each device identifiers in the set of device identifiers including information identifying a first code module associated with the first device identifier(col. 2, lines 44-60; col. 7, lines 24-32);

code for loading the code modules associated with the set of device identifiers into an address space of the execution program (inherent because of upgrade; col. 9, lines 16-61);

code for using the set of loaded code modules to manage a network (inherent since property table; col. 7, line 24 – col. 8, lines 27);

code for receiving a signal indicating that the devices information has been modified, the modified devices information including a second device identifier and a second code module associated with the second device identifier, the second device identifier not included in the set of device identifiers included in the devices information before modification (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

code for loading the second code module into the address space of the executing program in response to the signal (inherent; abstract; col. 6, lines 42-65); and

code for using the loaded code modules corresponding to the set of network device identifiers and the second code module to manage the network (abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

15. As to claim 33, Chamberlain et al. teach computer program product comprising:

code for accessing device information related to a device identifier, the device information related to the identifier including information identifying a code module associated with the device identifiers (col. 2, lines 44-60; col. 7, lines 24-32); and

code for loading the code module into an address space of an executing application program (inherent because of upgrade; col. 9, lines 16-61);

code for using the loaded code modules to manage devices in a network (inherent since property table; col. 7, line 24 – col. 8, lines 27);

code for receiving a signal indicating that the code module has been modified (item 100, fig. 2; col. 6, line 66 – col. 7, line 8);

code for deleting the previously loaded code module from the address space of the executing application program in response to the signal (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, lines 25); and

code for loading the modified code module into the address space of the executing application program (inherent; abstract; col. 6, lines 42 – 65); and

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

16. As to claim 34, Chamberlain et al. teach system comprising:

a network comprising at least one device (see fig. 1); and

a computer system coupled to the network (see fig. 1), the computer system comprising:

a processor (item 21, fig. 1);

a memory coupled to the processor, the memory configured to store a program for controlling the processor (items 24, 25 and 35; fig. 1); and

the processor operative with the program to

access device information, the device information comprising information identifying a set of identifiers and a set of code modules associated with the set of device identifiers (col. 2, lines 44-60; col. 7, lines 24-32);

load the set of code modules referenced by the device information into an address space of the execution program executed by the processor (inherent because of upgrade; col. 9, lines 16-61);

receive, while the program is executed by the processor, a signal indicating that the device information has been modified to produce modified device information (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

delete the set of code modules referenced by the device information before modification from the address space of the executing program executed by the processor (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25);

access the modified device information (abstract; col. 10, lines 35-47); and

load a set of code modules referenced by the modified device information into the address space of the executing program executed by the processor (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

17. As to claim 35, Chamberlain et al. teach system comprising:

a network comprising a plurality of devices (see fig. 1); and

a computer system coupled to the network (see fig. 1), the computer system comprising:

a processor (item 21, fig. 1);

a memory coupled to the processor, the memory configured to store a program for controlling the processor (items 24, 25 and 35; fig. 1); and

the processor operative with the program to

access device information, the device information including information related to a set of device identifiers and information identifying a set of code modules associated with the set of device identifiers, the device information including information related to a first device identifier and a first code module associated with the first device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

load the set of code modules identified in the device information into an address space of the program executed by the processor (inherent because of upgrade; col. 9, lines 16-61);

use the set of code modules to manage devices coupled to the network whose device identifiers match identifiers in the set of device identifiers (inherent since property table; col. 7, line 24 – col. 8, lines 27);

receive, while the program is executed by the processor, a signal indicating that the device information has been modified, the modified device information not including information related to the first device identifier (item 100, fig. 2; col. 6, line 66 – col. 7, line 8); and

in response to the signal, delete the first code module associated with the first device identifier from the address space of the program executed by the processor (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

18. As to claim 37, Chamberlain et al. teach system comprising:

a network comprising a plurality of devices (see fig. 1); and

a computer system coupled to the network (see fig. 1), the computer system comprising:

a processor (item 21, fig. 1);

a memory coupled to the processor, the memory configured to store a program for controlling the processor (items 24, 25 and 35; fig. 1); and

The processor operative with the program to

access device information related to a first device identifier, the device information related to the first identifier including information identifying a first code module associated with the first device identifiers (col. 2, lines 44-60; col. 7, lines 24-32); and

load the first code module into an address space of an executing application program (inherent because of upgrade; col. 9, lines 16-61);

receive, while the program is executed by the processor, a signal indicating that the information related to the first device identifier has been modified, the modified information identifying a second code module associated with the first device identifier instead of the first code module (item 100, fig. 2; col. 6, line 66 – col. 7, line 8); and

in response to the signal:

delete the first code module associated with the first device identifier from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25); and

load the second code module into the address space of the program executed by the processor (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

19. As to claim 41, Chamberlain et al. teach system comprising:

a network comprising a plurality of devices (see fig. 1); and

a computer system coupled to the network (see fig. 1), the computer system comprising:

a processor (item 21, fig. 1);

a memory coupled to the processor, the memory configured to store a program for controlling the processor (items 24, 25 and 35; fig. 1); and

the processor operative with the program to

access device information comprising a set of device identifiers including a first device identifier, the devices information further comprising information identifying code modules associated with device identifiers in the set of device identifiers including information identifying a first code module associated with the first device identifier(col. 2, lines 44-60; col. 7, lines 24-32);

load the set of code modules associated with the set of device identifiers including the first code module into an address space of the program executed by the processor (inherent because of upgrade; col. 9, lines 16-61);

receive, while the program is executed by the processor, a signal indicating that the devices information has been modified, the modified devices information including a second device identifier and a second code module associated with the second device identifier, the second device identifier not included in the set of device identifiers included in the devices information before modification (item 100, fig. 2; col. 6, line 66-col. 7, line 8);

in response to the signal, load the second code module into the address space of the program executed by the processor (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

20. As to claim 46, Chamberlain et al. teach system comprising:

a network comprising a plurality of devices (see fig. 1); and

a computer system coupled to the network (see fig. 1), the computer system comprising:

a processor (item 21, fig. 1);

a memory coupled to the processor, the memory configured to store a program for controlling the processor (items 24, 25 and 35; fig. 1); and

the processor operative with the program to

access information related to a device identifier, the information related to the identifier including information identifying a code module associated with the device identifier (col. 2, lines 44-60; col. 7, lines 24-32);

load the code module into an address space of the program executed by the processor (inherent because of upgrade; col. 9, lines 16-61);

receive, while the program is executed by the processor, a signal indicating that the code module has been modified (item 100, fig. 2; col. 6, line 66- col. 7, line 8);

in response to the signal:

delete the previously loaded code module from the address space of the executing program (inherent because of upgrade; col. 6, lines 21-65; col. 10, line 48 – col. 11, line 25); and

load the modified code module into the address space of the executing program (inherent; abstract; col. 6, lines 42-65).

Chamberlain et al. do not teach SAN device. Wilson teaches SAN device (col. 6, lines 11-61). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chamberlain et al. and Wilson because that would provide fault handling condition within a device for the network.

21. Claims 21 and 25 are computer program product of method claims 2 and 9 respectively. Chamberlain et al. and Wilson in combination teach method as set forth in claims 2 and 9. Therefore, Chamberlain et al. and Wilson in combination also teach computer program product as set forth in claims 21 and 25.

22. Claims 36 and 45 are apparatus claims of method claims 9 and 7 respectively. Chamberlain et al. and Wilson in combination teach method as set forth in claims 9 and 7. Therefore, Chamberlain et al. and Wilson in combination teach apparatus as set forth in claims 36 and 45.

Allowable Subject Matter

23. Claims 3-6, 11-13, 15-17, 22,23, 27, 28, 30-32, 38-40, 42-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mohammad O. Farooq
February 3, 2005